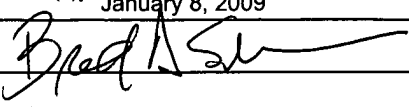
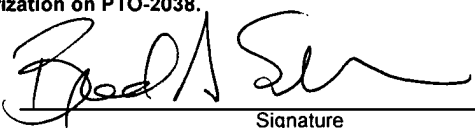


PTO/SB/31 (10-07)

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>January 8, 2009</u> Signature <u></u> Typed or printed name <u>Brad A. Schepers</u>		In re Application of <u>Lukas Eisermann et al.</u>	
		Application Number <u>10/734,041</u>	Filed <u>December 12, 2003</u>
		For <u>EXPANDABLE INTERVERTEBRAL IMPLANT</u>	
		Art Unit <u>3733</u>	Examiner <u>David C Comstock</u>
Applicant hereby <b>appeals</b> to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ <u>540.00</u>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ _____	
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I am the			
<input type="checkbox"/> applicant/inventor.		Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		_____ Typed or printed name	
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>45,431</u>		<u>(317) 238-6334</u> Telephone number	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____		<u>January 8, 2009</u> Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			

☐ \*Total of \_\_\_\_\_ forms are submitted.

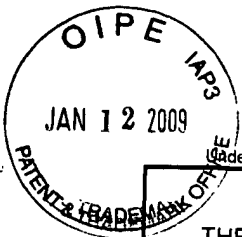
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on January 8, 2009

Signature

Typed or printed  
name

Brad A. Schepers

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Application Number  
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For EXPANDABLE INTERVERTEBRAL IMPLANT

Art Unit  
3733

Examiner  
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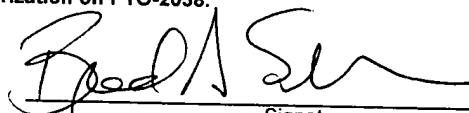
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- ☒ attorney or agent of record.  
Registration number 45,431
- ☐ attorney or agent acting under 37 CFR 1.34.  
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Signature

Brad A. Schepers

Typed or printed name

(317) 238-6334

Telephone number

January 8, 2009

Date

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